

## PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Richard F. Peterson  
DOCKET NO.: 05-24457.001-R-1  
PARCEL NO.: 04-23-302-050-1001

The parties of record before the Property Tax Appeal Board are Richard F. Peterson, the appellant, and the Cook County Board of Review.

The subject property consists of a 33-year-old, two-story, masonry constructed, townhouse style condominium unit containing 1,898 square feet of living area and situated on a 1,264 square foot parcel. Features include two and one-half bathrooms, air-conditioning, a fireplace and garage. The subject is located in Northfield Township, Cook County and assigned a 16.67% percent ownership in the building.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this claim, the appellant submitted assessment data and descriptive information on four suggested townhouse style condo units located within one block of the subject. The appellant also submitted photographs of the subject and the suggested comparables as well as a copy of the board of review's decision. The four condo units consist of two-story, masonry constructed, 33-year-old, 1,898 square foot, single-family dwellings. The improvements contain two and one-half bathrooms, a fireplace, air-conditioning and garage. The improvement assessments range from \$12.93 to \$14.67 per square foot of living area. The subject's improvement assessment is \$29,377 or \$15.48 per square foot of living area. The appellant's evidence disclosed that the subject sold in October 2000 for a price of \$365,000.

(Continued on Next Page)

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$ 6,243
IMPR.:	\$ 29,377
TOTAL:	\$ 35,620

Subject only to the State multiplier as applicable.

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The appellant argued that the four comparables provided by the appellant are residential condo units identical in size and shape to the subject and located within the subject's subdivision. Based on the evidence submitted, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$35,620 was disclosed. Of this amount \$29,377 is allocated to the improvement and \$6,243 is allocated to the land. The board also presented the methodology used to estimate the subject's fair market value. The board of review's evidence revealed that from 2001 through 2004 two units within the subject's building sold. Total consideration for these two sales was \$743,500, of that amount \$9,000 was deducted for personal property. Thus, the total adjusted consideration was \$734,500 for the two units in the building. The board estimated the total market value of the condominium building using the adjusted sales price and the total of the percentage of interest of the units which sold, or 33.33%, to conclude a total market value for the subject building of \$2,203,720. The subject's percentage of interest of 16.67% was then applied to the total building value to determine fair market value of \$367,360 for the subject. Also, the board's evidence disclosed that the subject was purchased in October 2000 for \$365,000. Based on this evidence, the board of review requested confirmation of the subject property's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review V. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

The evidence in this record disclosed that the practice in Cook County when assessing condominiums is to utilize the percentage of ownership, as contained in the condominium declaration, as the factor to pro-rate assessments to individual unit owners. The evidence demonstrated that the board of review used actual sales of two condominium units to estimate the overall value of the subject's building. The overall market value of the condominium building is then apportioned to the individual units using each unit's percentage of ownership.

Next, the Board finds the appellant presented assessment data and descriptive information on four equity comparables. Although the four suggested comparables appear to be similar to the subject in size, design and age, the appellant failed to provide the percentage of ownership for each unit. Without this information, an equity analysis cannot be conducted. Accordingly, the four suggested comparables are accorded little weight. As a final point, the subject's assessment is approximately 10% of the purchase price based on the 2000 sale.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject property was inequitably assessed or overvalued and a reduction is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member

Member

Member

DISSENTING:

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: February 29, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the

subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.